

RECEIVED
CENTRAL FAX CENTER

T-610 P.001/003 F-984

Customer No. 28880

SEP 12 2005

Confirmation No. 5708

PTO/SB/Z1 (09-04)

Approved for use through 07/31/2006, OMB 0651-0031

U.S. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

TRANSMITTAL FORM (to be used for all correspondence after initial filing)	Application Number	10/730,680
	Filing Date	December 8, 2003
	First Named Inventor	Nicole Barvian, et al
	Art Unit	1624
	Examiner Name	Kahsay Habte
Total Number of Pages in This Submission	Attorney Docket Number	PC20508A

ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/ Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD. Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input type="checkbox"/> Other Enclosure(s) (please identify below):
Remarks Authorization to charge the fee and any additional fees as necessary or credit any overpayment to deposit account 23-0455 is hereby given.		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name			
Signature	<i>Eric J. Baude</i>		
Printed name	Eric J. Baude		
Date	September 7, 2005	Reg. No.	47,413

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:

Signature	<i>Cicely M. Bohms</i>		
Typed or printed name	Cicely M. Bohms	Date	September 12, 05

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

USPTO Fax No. 571-273-8300

RECEIVED
CENTRAL FAX CENTER

T-610 P.002/003 F-984

Barvian et al.

- 1 -

SEP 12 2005

10/730,680

PC20508A

IN THE UNITED STATES PATENT & TRADEMARK OFFICE

APPLICANT : BARVIAN ET AL. EXAMINER : HABTE, KAHSAY
SERIAL NO : 10/730,680 ART UNIT : 1624
FILED : December 8, 2003 CONFIRMATION NO: 5708
FOR : BENZOXAZIN-3-ONES AND DERIVATIVES THEREOF AS
THERAPEUTIC AGENTS

RESPONSE TO RESTRICTION REQUIREMENT
UNDER 35 U.S.C. § 121

Commissioner for Patents
PO BOX 1450
Alexandria, VA 22313-1450

Dear Sir:

This paper is in response to an Office Action mailed August 30, 2005,
Confirmation No. 5708.

REMARKS

In the Office Action, the Examiner alleges that a restriction under 35 U.S.C. § 121 is required to one of the inventions of Groups I or II.

Applicants elect with traverse the invention of Group I, "[c]laims 1 (in part), 2-11, 15-22, and 23-31 (in part), drawn to benzo[1,4]oxazin-3-one compounds, composition and method of use, classified in class 544, subclass 105." Applicants respectfully maintain that an adequate response has been made to the restriction requirement under 35 U.S.C. § 121.